

Application No. 10/717,378

Reply to Office Action

REMARKS/ARGUMENTS*The Amendments to the Claims and the Specification*

The limitation of claim 9 has been incorporated into claim 1, which has been amended to recite that at least a portion of irinotecan is complexed with cardiolipin, and claim 9 has been canceled. Claim 11 has been amended to recite a composition comprising about 1 wt.% to about 50 wt.% irinotecan, about 1 wt.% to about 50 wt.% cardiolipin, about 1 wt.% to about 95 wt.% phosphatidylcholine, and about 0.001 wt.% to about 5 wt.% α -tocopherol. In addition, new claims 47-53 have been added. These amendments are supported by the disclosure as originally filed at page 5, lines 3-15.

The specification has been amended as noted above. This amendment is supported by the disclosure as originally filed by claims 3-5. No new matter has been added by way of these amendments.

Interview Summary

Applicants wish to thank the Examiner for taking the time to discuss this application during telephone interviews on November 23, 2005 and December 6, 2005. The rejections issued in the previous Office Action, dated July 7, 2005, were discussed and no agreement was reached.

The Present Invention

The present invention relates to liposomal formulations of irinotecan. Claims 1-2, 6-8, 11-21, 23, and 47-53 are pending in the application.

Summary of the Office Action

The Office Action rejects claims 1-3, 5-9, 11-21, and 23 as allegedly indefinite under 35 U.S.C. 112. In addition, the Office Action objects to claims 1-3, 5-9, 11-21, and 23 because they contain informalities. The Office Action also objects to the specification for failure to provide an antecedent basis for the claimed subject matter.

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Discussion of the Section 112 Rejections

Claims 1 and 11 have been amended to remove the phrase "conventional irinotecan". Thus, the Section 112 rejections have been rendered moot and should be withdrawn.

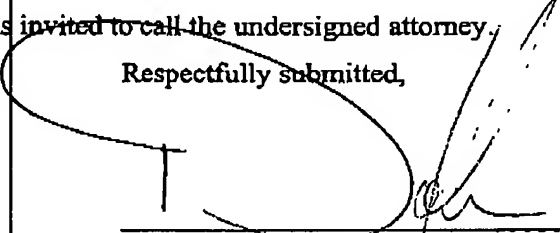
Discussion of the Objections to the Claims and Specification

The informalities have been deleted from claims 1 and 11. In addition, the limitations lacking support in the specification have been deleted from claims 1 and 11. Claims 3 and 5 have been canceled. Thus, the objections to the claims and specification have been rendered moot and should be withdrawn.

Conclusion

The application is believed to be in good and proper form for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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